



3-6-02

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Certificate of Express Mailing Under 37 C.F.R. §1.10

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being mailed via "Express Mail Post Office to Addressee" service of the United States Postal Services (**Express Mail Label No. EF 409537013 US**) on the date shown below in an envelope addressed to the Assistant Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington VA 22202, Attention: BOX SEQUENCE.

Dated: 3/4/02 By: [Signature]  
Suzanne L. Simpson

5000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION OF

**BOX SEQUENCE**

Roger S. Goody, et al.

Group Art Unit:

Application No. 09/622,101

Examiner:

Filed: January 29, 2001

Title: NOVEL MEANS AND METHODS FOR THE PREPARATION AND  
ACTIVATION OF NUCLEOSIDE AND NUCLEOTIDE BASED DRUGS

**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, Virginia 22202

Attn: BOX SEQUENCE

Sir:

Transmitted herewith for filing are the following papers:


1. Response to Notification of Defective Response;
2. Copy of Notification of Defective Response;
3. Statement to Support Filing and Submission in Accordance with 37 C.F.R.  
§1.821-1.825;
4. Substitute Sequence Listing (paper copy);
5. Substitute Diskette of Sequence Listing; and

6. Return Postcard.

Applicant believe that no fee is required for filing of the Response to Notification of Defective Response. However, the Honorable Assistant Commissioner is hereby authorized to charge any fee, including any submitted herewith, if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account 03-3975. A duplicate of this Transmittal is enclosed.

Respectfully submitted,

Pillsbury Winthrop LLP

By:   
Suzanne L. Biggs  
Registration No. 30,158

50 Fremont Street/P.O. Box 7880  
San Francisco, CA 94105-2228  
Telephone: 415) 983-1000  
Facsimile: (415) 983-1200  
Ref. No.: 009848-0272497  
Date: March 4, 2002



Certificate of Express Mailing Under 37 C.F.R. §1.10

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Dated: 3/4/02

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**BOX SEQUENCE**

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Group Art Unit:

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Examiner:

Filed: January 29, 2001

Title: NOVEL MEANS AND METHODS FOR THE PREPARATION AND ACTIVATION  
OF NUCLEOSIDE AND NUCLEOTIDE BASED DRUGS

\* \* \* \* \*

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, Virginia 22202

Attn: BOX SEQUENCE

Sir:


In response to the Notification of Defective Response dated February 6, 2002 attached please find a copy of the "Sequence Listing" in computer readable format along with a Statement to Support Filing and Submission in Accordance with 37 C.F.R. §1.821-1.825.

Applicant respectfully submits that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing and includes no new matter.

Applicant herein respectfully requests that the attached sequence listing be entered into the specification of the above-identified application.

Respectfully submitted,

Pillsbury Winthrop LLP

By:   
Suzanne L. Biggs  
Registration No. 30,158

50 Fremont Street/P.O. Box 7880  
San Francisco, CA 94105-2228  
Telephone: (415) 983-1000  
Facsimile: (415) 983-1200  
Ref. No.: 009848-0272497

Date: March 4, 2002

Enclosure: Statement to Support Filing  
Sequence Listing (including electronic copy)

009848/0272497



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 101  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/622,101	Roger S. Goody	256/137-US

Suzanne L Biggs  
Lyon & Lyon  
Suite 4700  
633 West Fifth Street  
Los Angeles, CA 90071



INTERNATIONAL APPLICATION NO.	
PCT/EP99/00945	
LA. FILING DATE	PRIORITY DATE
02/12/1999	02/13/1998

CONFIRMATION NO. 8380  
371 FORMALITIES LETTER



\*OC000000007424719\*

Date Mailed: 02/06/2002

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Claims
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Drawings
- Initial Application Filing Fees
- Oath or Declaration
- Oath or Declaration
- Original Specification
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

NO RECORD  
VOSSIUS  
JAN 15 2002  
S. BIGGS

RECEIVED

FEB 11 2002

U.S. PROSECUTION

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

NIP

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
  - See Attachment:(Raw Sequence Listing Error Report)
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/622,101	PCT/EP99/00945	256/137-US

FORM PCT/DO/EO/916 (371 Formalities Notice)